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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

20 pgs + 142  
references

Application Number

10/028,174

Filing Date

December 20, 2001

First Named Inventor

Eric R. SCHUUR

Group Art Unit

1645

Examiner Name

To Be Assigned

Attorney Docket No.

397342000200

### ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group  |
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018

or

Individual Name

Catherine M. Polizzi, Registration Number 40,130

Signature

Date

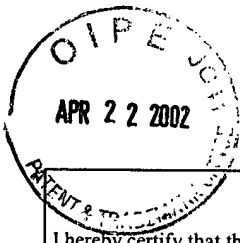
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PATENT  
Docket No. 397342000200

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In the application of:

Eric R. SCHUUR

Serial No.: 10/028,174

Filing Date: December 20, 2001

For: NON-DESTRUCTIVE CELL-BASED  
ASSAY

Examiner: To Be Assigned

Group Art Unit: 1645

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**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
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  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

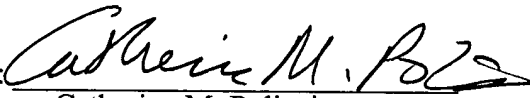
Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 397342000200. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 16, 2002

Respectfully submitted,

By:   
Catherine M. Polizzi  
Registration No. 40,130

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Form PTO-1449

Docket Number 397342000200

Application Number 10/028,174

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Eric R. SCHUUR

Filing Date December 20, 2001

Group Art Unit 1645

Mailing Date April 16, 2002

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	05/11/1993	5,210,015	Gelfand et al.			
	2.	09/20/1994	5,348,867	Georgiou et al.			
	3.	11/15/1994	5,364,783	Ruley et al.			
	4.	03/28/1995	5,401,629	Harpold et al.			
	5.	02/02/1999	5,866,344	Georgiou			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	6.	10/08/1998	WO 98/44350 A1	WIPO			

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

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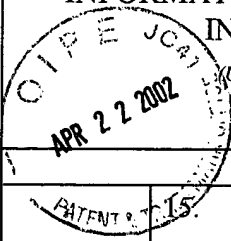
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Packet Number 397342000200

Application Number 10/028,174

Applicant

Eric R. SCHUUR

Filing Date December 20, 2001

Group Art Unit 1645

Mailing Date April 16, 2002

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## INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket Number 397342000200

Application Number 10/028,174

Applicant

Eric R. SCHUUR

Filing Date December 20, 2001

Group Art Unit 1645

Mailing Date April 16, 2002

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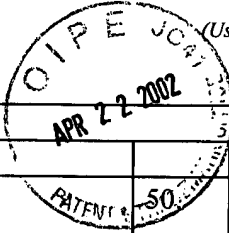
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		Eric R. SCHUUR	
		Filing Date December 20, 2001	Group Art Unit 1645
		Mailing Date April 16, 2002	
			
<i>Curr Opin Biotechnol</i> 7(2):190-197.			
Georgiou et al. (1996). "Display of $\beta$ -lactamase on the <i>Escherichia coli</i> Surface: Outer Membrane Phenotypes Conferred by Lpp'-OmpA'- $\beta$ -lactamase Fusions," <i>Protein Eng</i> 9(2):239-247.			
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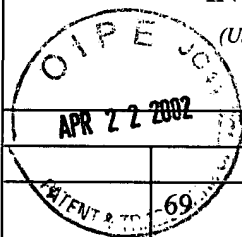
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Applicant

Eric R. SCHUUR

Filing Date December 20, 2001

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